

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

DR. SAEED MAHMOODIAN,

Plaintiff,

v.

MANSOUREH PIRNIA, ET AL.,

Defendants.

CASE NO. 3:11-cv-00005

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court on Plaintiff's motion for entry of default judgment against Defendants.¹ For the reasons set forth in the accompanying memorandum opinion, default judgment is hereby GRANTED in Plaintiff's favor. Defendants are hereby PERMANENTLY ENJOINED from utilizing in any manner Plaintiff's copyrights. Additionally, Plaintiff is hereby AWARDED the costs he has incurred in pursuing this action. Accordingly, this case is hereby STRICKEN from the Court's active docket.

It is so ORDERED.

¹ Plaintiff moved for both entry of Defendants' default and entry of default judgment in a single motion (docket no. 16) filed on September 7, 2011. On September 30, 2011, I issued a memorandum opinion and order in which I granted in part and denied in part that motion. Specifically, I granted Plaintiff's motion for entry of default, and I directed the Clerk of the Court to enter Defendants' default. However, I denied Plaintiff's motion for entry of default judgment in light of the fact that the damages to which he was entitled, if any, were not of a "sum certain" pursuant to Rule 55(b) of the Federal Rules of Civil Procedure. On March 5, 2012, I conducted a hearing with respect to damages. Following the hearing, I issued an order directing the parties to submit supplemental briefs. To date, Plaintiff has not formally renewed his motion for entry of default judgment. However, in light of his appearance at the hearing on March 5, 2012, the purpose of which was to determine the damages, if any, that Plaintiff would be granted in a default judgment, I will construe his appearance at that hearing as constituting an oral renewal of his motion for entry of default judgment. The Clerk of the Court is hereby directed to amend the docket in any manner necessary to reflect such an oral motion.

The Clerk of the Court is hereby directed to send a certified copy of this order and the accompanying memorandum opinion to Defendants and to all counsel of record.

Entered this 7th day of June, 2012.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE